

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

00 Cr. 217 (JGK)

- against -

MEMORANDUM OPINION
AND ORDER

NICHOLAS F. CHAAR,

Defendant.

JOHN G. KOELTL, District Judge:

The Court has considered the Probation Department recommendation that the defendant be discharged from Supervised Release. The Government opposes the application on the grounds that there is nothing exceptional in the defendant's circumstances that warrants the early termination.

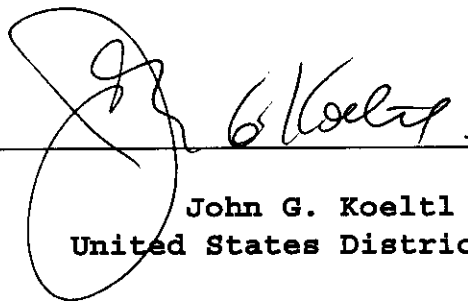
The Court will sign the Order proposed by the Probation Department. The Court is satisfied that such action is warranted by the conduct of the defendant and the interest of justice. See 18 U.S.C. §3583(e)(1). The defendant has completed almost half of his original three year term of supervised release. It is undisputed that the defendant has complied with all of the conditions of his supervised release including drug treatment. The Probation Department concludes that he has reintegrated into the community and that there is no identifiable risk to either the public or any identified party. A continued period of supervised release is unnecessary for deterrence, protection of

the public or to reflect the seriousness of the offense for which

defendant's personal situation supports the termination of supervised release. His mother suffers from advanced ovarian cancer and he is the support for his family. He has opportunities for work, including the possibility of work in Iraq, which would be precluded by the continuation of supervised release. Under all of the circumstances, a termination of supervised release is warranted by the conduct of the defendant and the interest of justice.

SO ORDERED.

Dated: New York, New York
August 2, 2005



John G. Koeltl
United States District Judge